

EVERETT COMMUNITY STREETS INITIATIVE TASK FORCE

THURSDAY, AUGUST 21, 2014

3:00 – 6:00 P.M.

WEYERHAEUSER ROOM, EVERETT STATION, 3201 SMITH AVENUE

MEETING 3

Meeting Summary

(as approved September 4)

Task Force Members Attending:					
Chris Adams	X	Sylvia Anderson	X	Jonathan Apuan	
Glen Bachman	X	Sophia Beltran		Flora Diaz	X
Bob Dobler	X	Alan Dorway	X	Megan Dunn	X
Cassie Franklin	X	Linda Grant	X	GeorgaDee MacLeod	X
Mark Mantei		Mark Nysether	X	Ed Petersen	X
Renee Quistorf	X	Robert Reese	X	Marilyn Rosenberg	
Matthew Savage		Tom Sebastian	X	Craig Skotdal	X
Joyce Stewart		Julie Zarn			
Task Force Member Alternates Attending:					
Suzanne Duff	X	Kris McDowell	X	Mike Purcell	X
Winnie Corral	X				
City/County/Housing Authority Staff & Support Team Attending:					
Ty Trenary		David Hall	X	Lanie McMullan	
Dan Templeman	X	Ken Stark	X	Bob Downey	
Deborah Wright		Ashley Lommers-Johnson		Karen Reed, Facilitator	X

Welcome and Introductions. Karen Reed welcomed the group and reminded the public that comments could be written, placed on the back table, and would be circulated amongst the task force members at the next meeting. There will be a public hearing in September where people will be invited to comment.

The Task Force welcomes two new members to the support team (non-voting): Bob Downey, Deputy Fire Chief, and Ashley Lommers-Johnson, Executive Director of the Everett Housing Authority.

Review of Agenda and Materials. Karen reviewed today's agenda and the packet materials. She reminded the group that the Task Force mission involves two overlapping but distinct challenges: addressing the needs of the homeless population in the City's commercial core areas, and addressing criminal activity and other street-level issues in the commercial core areas that may not be related to homelessness.

Co-Chairs Remarks. Co-Chair Chris Adams welcomed the group and the new staff team members who will join at the next meeting and noted that he appreciated the comments at the end of the last meeting and the group's patience during this education process. The Task Force is working toward developing

action items and recommendations. He asked that the group please read the “lavender pages” at the back of the meeting packets which contain comments from the public. The public hearing in September is a great opportunity for verbal comments and will be held on September 9th, from 7-9 p.m. in the Weyerhaeuser Room. Task force members are welcome but not required at the meeting. Attendees wishing to speak may do so at the podium or from the audience and each person will have 3 minutes to talk. Detailed minutes will be recorded for those who can’t attend.

Co-Chair Sylvia Anderson stated that she is planning a focus group of homeless individuals. Three to four Task Force members can attend. It will be on September 23rd at the Everett Gospel Mission. Good notes will be taken and she asked that the group write down any questions they would like to see asked at the focus group on the comment cards being passed around.

Karen noted there is a handout in the packet with the list of tours in the packet and encouraged all Task Force Members to sign up for at least one tour before leaving today.

Approval of Meeting 1 Meeting Summary. Karen noted a correction – Glen Bachman was not present, and Bob Dobler was. Karen reminded the group that all of these documents are posted on the city website. Flora Diaz noted that a typo exists on page 5 – 22.000 units should be replaced with 22,000 units. Cassie Franklin made a motion to approve the minutes with the suggested corrections; the motion was seconded by GeorgaDee McLeod. The meeting summary was unanimously approved.

Re-cap of Meeting 2. An updated contact list with new alternates and members is in the packets. Karen reviewed the Results of Task Force Member Homework on Concerns and Underlying Causes shared at Meeting 2; these main themes may be categories to seek solutions in. The homework included many ideas about ways to improve things.

Karen reviewed the Summary of Snohomish County 2014 Human Services Funding and said it captures over \$82 million dollars in total resources that the county, the state and the federal government are contributing to deal with issues including housing, community services, and alcohol and drug treatment among others.

Karen noted that the two city council resolutions in the packet concern Community Development Block Grants and human needs funding, are reproduced again from the Meeting 2 packet. The resolutions include details about how much money the city has allocated to service programs and where the money is going.

Follow up on Information Requests. Karen reported that the County Sheriff’s department is unable to provide detailed information correlating homeless individuals and criminal activity without hiring a consultant. In lieu of this, she will talk to the Police about perhaps identifying physical locations/buildings in commercial areas that receive most calls for service. The request for data about housing built since the 10-year plan to end homelessness was adopted is still in process.

Panel Presentation and Discussion: Criminal Justice System. David Hall, Deputy City Attorney, introduced the panel subject matter. The City has jurisdiction over misdemeanors, of which there are over 5,000 every year. When you add up the costs between the prosecutor, police and municipal courts each misdemeanor costs about \$1500. The City also pays for public defense; there are more than 3,000

indigent defendants in municipal court annually. Last year the City spent more than \$1million on public defense. The City also pays for jail for defendants awaiting trial and offenders who are sentenced to a term of incarceration. At \$95 per booking, \$65 a day for housing fees, the costs add up – last year the City spent \$3 million incarcerating individuals at Snohomish County Jail. Next year’s base housing fee will rise to \$85 and \$200 for inmates with mental health issues—per day. The City projects spending well over \$4 million next year.

David noted the average cost of handling each misdemeanor will soon be more than \$2,000, and over \$4,000 for those with mental health concerns. The cost of indigent defense is also going up as a result of a federal court decision increasing standards applicable to public defense and Washington Supreme Court caseload limits for public defenders: the City’s public defender costs will go up by nearly \$1 million next year if there is no reduction in the number of misdemeanors handled with the traditional arrest-charge-jail model.

So we need to look at the full range of behaviors involved here and ask if these are really criminal behaviors, or is there a more cost effective way to deal with them? One example is the de-institutionalization of mentally ill people: there are thousands of mentally ill people on the streets and in jails and prisons. The largest psychiatric facility in the country is the Los Angeles Jail. In the Snohomish County Jail – Robin Fenn talked to this-- out of all the inmates interviewed, 56 percent had been homeless at some point this year; 100% of those individuals had mental health issues or substance abuse issues, or both. Many did not expect to have housing when they got out. When people lose housing, they lose jobs, lose relationships, lose their car, often they are worse off coming out of jail than when they went in. Moving them out of the criminal justice system and into social services will better meet their needs.

David introduced the panel of speakers.

Lt. Bruce Bosman, Everett Police Department, spoke to how the police traditionally engage with homeless individuals and alternatives they are looking at. It is important to distinguish that there is some activity by folks who are housed versus those who are homeless. Chronic nuisance activity includes both perceived and actual crimes. Police encountering a person first must investigate life safety issues. Environmental concerns are also a factor--are they safe in that environment, given the weather, etc. Officers then consider the mental health status of the individual - do they understand they are committing a crime? Have crimes been committed? Possibly not; a civil infraction may be only thing found.

If aid is needed, police need to secure the scene, so that, for example, it is safe for EMS personnel. The person may require relocation in a temporary shelter such as the Salvation Army, the Gospel Mission, a detox facility, the Triage Center, Compass Health or the hospital. Police must take into account limitations on bed space and mental health.

Jail booking may be an option, in which police would check with jail to see if there’s room, possibly in the special housing unit (for those with mental health or other physical issues), which has a limit of 39. There is another option that assigns the person a court date, but doesn’t physically arrest them. The charge is referred to the prosecutor’s office, and the person is held accountable if a charge is filed.

Unfortunately when neighbors see police leaving the person and not arresting them they may think no action has been taken.

The Police Department has trained some officers in Crisis Intervention Techniques to promote safety and communication.

The chronic nuisance ordinance, which is designed for property, is effective at reducing activity on the property; in the form of do not rent lists for motels, and trespass notices. This system helps owners be responsible and discourage that activity and we are teaching this at neighborhood meetings.

Another option is what the Santa Monica Police Department does, sending officers out with trained social workers to provide a holistic law enforcement response to chronic nuisance activity and homelessness.

Hil Kaman, City Prosecutor – The traditional court and policing system works well for crimes like DUIs. It doesn't work as well for homeless individuals. And there is a gap between the civil mental health and criminal justice systems: each has different standards for individuals. In a criminal case, you must be competent to stand trial for a crime by having the ability to aid in your own defense. If mental capacity is an issue, Western State Hospital will assess the individual. If not competent, a person can be sent to Western for up to 29 to be restored to competency so they can stand trial. For those who cannot be restored and are incompetent, there is nothing the criminal justice system can do for them: they cannot be prosecuted.

Prosecutors refer many with diminished capacity to the civil system; its standard is either a danger to themselves or others, or danger to public, or gravely disabled. Often those people are seen back out on streets later. They can be held in jail and go through the same process again with likely the same result. One of these individuals, over a period of 800 days, spent over 600 days in the county jail. This person failed restoration and would be repeatedly arrested and kept in jail. Recognizing the inefficient and expensive process of the arresting, holding and releasing process, prosecutors and his treatment team from the jail gathered together and talked. No one had any grand ideas or any money, but over the next 8 months that individual was arrested only twice—because we communicated, we had a better way to deal with him.

The costs are high for a misdemeanor – the average jail stay for an individual charged with a misdemeanor in the City of Everett is 11 days. So on average of the 5,000 people we prosecute every year, they are out back on streets in 11 days. The maximum length of time we can hold them in jail for a misdemeanor is 1 year, which costs \$24,000. Jail is a tool and it can be very effective for those that are real public safety risks, but for the most part it does not address the underlying issues that cause this population to commit crimes. When someone gets out of jail, if they don't have a home, a family and a plan, if there is no help, they will be back in the criminal justice system very quickly. The traditional model works well for some crimes, but not for these social issues. Using jail as a tool for short and immediate sanctions on an individual can be effective on behavior. The threat of jail followed by intense supervision can also be effective. The Hypothetical in your packet is a combination of some of the people we know and see on a day to day basis.

Honorable Judge Van Slyck: she is 1 of 2 elected judges in Everett Municipal Court. Everett Muni Court is extremely busy. Judges address issues of domestic violence, no contact orders, trials, and sentencing decisions. She doesn't create laws or choose which ones are applied, as she is not a legislative branch or an executive branch; rather she decides cases based on the laws and facts presented to her. She can't make any statements about pending cases. She must be impartial.

The City's Community Justice Alternatives (CJA) program is intended to reduce recidivism and promote public safety. It is the result of collaboration between her predecessor on the bench, Judge Mitchell, the City Attorney's Office and the law firm that provides public defender services under contract with the City. The CJA program addresses mental health issues in a supportive courtroom environment and got its start in the spring of 2013. CJA is for people who can't function in the traditional model and is more interactive; Judge Van Slyck takes thorough notes and has more time with each case. The idea is to remove obstacles to help the individual maintain lawful behavior. The individual will have a combination of treatment and counseling, and during an 18 month program. They come to court once a month, learn new skills and make lifestyle changes. The CJA program has a liaison helping connect indigents to available services. Judge Van Slyck appreciates the complexity of the problem this task force is taking on and is willing to implement procedures that may be helpful in the court. Judge Van Slyck invited the group to observe a court session.

Laura Baird, Public Defender, stated that the role of legal representation for indigents, and the process of legal representation from a defense perspective generally is to present clients with options. The appointment begins at arraignment, whether they are in or out of custody. The individual is then screened for indigency at a public attorney's office. The process moves quickly, as the individual has a right to jury trial within 60 days of custody, or 90 days out of custody. The public defender's office makes initial contact with the client within a couple of days after arrest. Often the client is facing charges like criminal trespassing and unlawful camping and is on nominal bail, but even \$50 is often too high for them. Jail is not a deterrent for many; if they're cold and hungry, jail may be the safest and best alternative. For this population, another criminal charge on their records is not a deterrent.

Criminal convictions for domestic violence offenses can be insurmountable in getting housing and usually there are fines associated with charges -- which often they go to collections agencies. Most cases carry 2 year probation, and domestic violence convictions carry 5 year probation. Defense attorneys formulate sentences recommendations designed to address the underlying issues where possible. Some people have so many convictions that they can't get a job. The challenges are many for those who have decided to plead guilty and go into probation.

Criminal Justice Panel Q & A:

Q: Have you considered arraigning people out of custody to increase the numbers participating in problem solving court?

A: Yes, although the threat of jail can be an effective tool to encourage people to use therapeutic courts.

Q: How big is the detox center and who manages it?

A: It is 16 beds. It is often full. They've changed to a medical management model recently. It is operated by Evergreen Manor. 16-beds is the maximum facility size allowed in order for the facility to

be able to get Medicaid money to reimburse care. 16-beds is not enough capacity for the county; we need about 30-40 beds. Evergreen Manor is working to open another 16-bed facility in South County. Because the facilities have to be smaller to access the federal funding, they are more expensive to operate.

Q: How many people agree to be treated in the CJA program?

A: A majority of those eligible and offered treatment agree to it. The court oversight lasts 16 months. A plan for treatment and oversight is developed for each individual.

Q: Are people informed about treatment and health services available to them?

A: Many more have health care now due to the ACA, and may be able to afford treatment than was true in the past.

Q: How similar is the City's CJA program to the County's felony drug court (which is good at reducing recidivism)?

A: The programs are similar.

Q: What other diversion programs are available?

A: Law enforcement diversion programs are possible—where police take folks to treatment, rather than to jail, but these need funding. Prosecutors have limited ability under current laws to do diversion programs outside of the courts. To be successful, law enforcement diversion programs require a place to take people: triage beds, or detox bed.

Q: What is the prosecutor's ideal situation for dealing with the homeless/indigent population on the streets?

A: Linking people with services before they are entered into the court system (law enforcement or prosecutor diversion). Diversion gets people out of the criminal justice system which is expensive and ineffective at addressing underlying issues. Ideally, we'd also have adequate court budgets for diversion courts. Collaboration of the parties in the CJ system is key to making these solutions work.

Comment: What we're doing now—putting people into jail, going through court, and having them cycle back in and out—is the most expensive option. Prosecutorial diversions and police diversion programs are less expensive. But they all take money.

Comment: When the only alternative is the emergency room, that's hugely expensive as compared to a detox bed.

Comment: The juvenile system has effective diversion programs. Current laws sometime require entering kids into the criminal justice system, for example if domestic violence is alleged.

Karen asked if the group would like to create a subcommittee to bring back suggestions for the Task Force around criminal justice issues. It was agreed to create a criminal justice subcommittee: Members include: Sylvia Anderson, Cassie Franklin, Flora Diaz; support will come from David Hall and Hil Kaman.

Karen will send a follow-up email asking if folks have other questions regarding criminal justice issues.

Outreach Discussion: What services are being provided in the community?

Karen asked all those at the table to describe briefly how their organization/agency is involved in outreach to individuals on the streets in the downtown commercial areas.

City Police take people to the hospital, to detox and to the triage center. Police may not know about the other outreach services available.

Volunteers of America has its headquarters in the core area of the city. It is open daily for information, access to the 211 system, and a phone for general use--which is used a lot.

Sheriff houses 900 individuals in the jail each day and provides them medical and dental service. Jail transition services are an important issue.

Evergreen Manor provides detox beds and helps people manage multiple presenting issues.

The Everett School District operates a parents' night program to help teach parents how to deal with problem behaviors, and they have a relational training program for kids. Studies are impacted by mental health and other issues.

Cocoon House serves all of Snohomish County. They send out 2-person outreach teams to connect with kids in need. They operate a crisis line and will go pick kids up within 45 minutes if they call —this is a 24/7 operation. They have a drop-in center with showers and laundry, and partner with others on mental health services.

Housing Hope doesn't do outreach; its residents are typically referred in from other service providers.

Lutheran Community Services Northwest provides services for families needing shelter, food and other support.

Churches operate a variety of programs including: referring folks to other service programs; operating feeding programs, thanksgiving dinner, offering blankets and sleeping bags, "Diapers & Donuts", the Community Baby Shower to get donations for infants. One couple operates a "Showers for the people" program on Wednesday nights in an alley behind the First Presbyterian Church—showers and laundry.

The Everett Mall is looking for opportunities to help with outreach.

Compass Center operates the PATH program which is federally funded outreach to the mentally ill; we go to feeding programs and other places to connect with these individuals. Compass also does jail transition outreach, and has a 24/7 crisis line for mental health issues. It also operates the Triage Center and the Peer Recovery Center (day center).

Snohomish County funds many services; mostly, these are contracted out with third party service providers rather than the County itself providing the services.

Everett Gospel Mission provides single men with emergency shelter; a day center; hygiene items; meals, case management; a 90-day shelter program, a 6-month passport shelter program; and a spiritual recovery program.

Recovery Café is a program that requires at least 24 hours of sobriety to participate. It will open later this year and be located in the daylight basement of Everett United church of Christ. The program has a capacity of 80-100 and will serve lunch every day.

Comment: Outreach takes time. You need to build trust with individuals for them to accept services.

Comment: Outreach is key.

Karen asked Task Force Members to comment on strengths of the current outreach services available, and to gaps, questions and suggestions for improvement.

Strengths:

The 211 information system operated by the VOA provides a direct link to mental health counseling and dispatch.

Cocoon House can do case management for people up to age 24; we can house people up to age 18.

Gaps, Questions, Suggestions:

Police may not know about the outreach services available.

Can we map where we have resources available to people—day places—since we still have a lot of people on the streets. We should also map facilities available in the evenings and overnight, as well as where outreach is occurring and where transit can be accessed.

There is a lack of beds available for drug-addicted youth.

There are multiple crisis lines – 211, Cocoon House, VOA—First responders don't know all the resources or have all the numbers. Perhaps we need a single dispatch system through 211?

If we have a single dispatch, it needs to be really fast so we can pick-up youth within 45 minutes per our funding requirements.

There is limited funding for youth outreach.

Q: Are bathrooms provided at feeding programs? Do we need more public restrooms, or to control access to some, like at the library?

A: Yes, all the feeding programs provide restrooms.

Offers should have a law enforcement diversion program (referred to as “LEAD”) so they can refer people directly to services rather than arrest them.

Comment: Police would support this idea.

It would be useful to have a services liaison for the business community, so they know who to reach out to if they see problems or people needing help.

We need more facilities to take addicted/intoxicated people to.

There should be a hand out at feeding programs about where all the feeding programs are

Comment: Churches to this now (handout circulated to Task Force)

We need more shelter beds.

There’s a perception in the business community that people are being drawn into Everett by the presence of feeding programs and then not getting the services they need. The concentration of feeding programs in the downtown creates a challenge for downtown businesses and visitors.

People need more emergency help with rent. Are there programs for this?

Comment: We have some programs for this, but vouchers for help are not available 24/7 and have many restrictions on how they can be used.

The biggest challenge remains the lack of long-term housing—not the lack of temporary shelter, which is good but it is ultimately a band-aid.

Karen asked if the group wanted to create a subcommittee to look at outreach issues; Alan Dorway volunteered; Chief Templeman agreed to assist.

The meeting was adjourned at 6:05 p.m.